

**Joint Status Report Pursuant to Rule 26(f)**

Caption: **Ituah v. City of Philadelphia** Civil Action No: **19-5088**

Basis of Jurisdiction: **Federal Question (section 1983)**

Jury Trial: **X** Non-Jury Trial: \_\_\_\_\_ Arbitration: \_\_\_\_\_

Plaintiff's counsel participating in the Rule 16 Conference: **Abraham Ituah**

Defendants counsel participating in the Rule 16 Conference: **Michael Pfautz**

Do counsel have full authority to settle at Rule 16 Conference? **Yes**

If not, client with such authority who will attend conference:

When did the parties hold the Rule 26 Conference? **3/23/23**

When did the parties comply with the Rule 26(a)'s duty of self-executing disclosure?

**Defendants sent on 2/6/23; Plaintiff sent on 3/23/23**

Does either side expect to file a case-dispositive motion? **Yes, Defendants**

If yes, under what Rule: **56**

If yes, specify the issue: **First Amendment Retaliation and Takings**

Proposed deadline for filing dispositive motions: **July 1, 2023**

Does either side anticipate the use of experts? **Yes, Plaintiff (Defendants' rebuttal)**

If yes, what is the proposed deadline for expert discovery? **June 1, 2023**

Approximate date case should be trial-ready: **September 1, 2023**

Time for Plaintiff's case: **2 days** Time for Defendant's case: **2 days**

Is a settlement conference likely to be helpful? **Plaintiff would like to discuss settlement**

If so, when: Early **Yes** (yes/no) After Discovery \_\_\_\_\_ (yes/no)

Do the parties wish to proceed before a Magistrate Judge for final disposition? **Plaintiff does; Defendants do not**

**Plan for Discovery:**

1. The parties anticipate that discovery should be completed within **90** days.
2. What is the minimum amount of time necessary to complete discovery prior to an ADR session, should one be ordered or agreed to? **None**
3. Have the parties discussed issues relating to claims of privilege or of protection as trial-preparation material, as required by Rule 26(f)(3)(D)? **Yes**
4. Identify any other discovery issues which should be addressed at the Rule 16 Conference, including limitations on discovery, protective Orders needed, or other elements which should be included in a particularized discovery plan. **Bifurcation of discovery on the Takings Claim-Defendants believe postponing discovery on this claim until the legal issue of police power is resolved would be more efficient**
5. If you contend the discovery period to exceed 90 days, please state reason: **N/A**
6. Do the parties anticipate the need to subpoena any third parties? **Plaintiff does**

If yes, to the extent any authorizations or releases are required to be signed, counsel should exchange them in advance of the Rule 16 Conference.